

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lee Mizzen and Jan Wisniewski  
Application No. : 09/001,737  
Filed : December 31, 1997  
For : STREPTOCOCCAL HEAT SHOCK PROTEINS OF THE  
HSP60 FAMILY

Docket No. : 870109.408  
Art Unit : 1643  
Date : September 14, 1998

Assistant Commissioner for Patents  
Washington, DC 20231

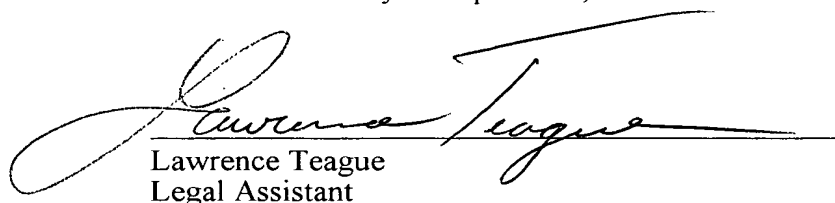
DECLARATION

Sir:

I, Lawrence Teague, in accordance with 37 C.F.R. § 1.821(f) do hereby declare that, to the best of my knowledge, the content of the paper entitled "Sequence Listing" and the computer readable copy contained within the floppy disk are the same.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 14<sup>th</sup> day of September, 1998.

  
Lawrence Teague  
Legal Assistant

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lee Mizzen and Jan Wisniewski  
Attorney's Docket No: 870109.408  
Application No.: 09/001,737  
Filed: December 31, 1997  
For: STREPTOCOCCAL HEAT SHOCK PROTEINS OF THE HSP60  
FAMILY

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. §§ 1.9(f) AND 1.27(c)) -- SMALL BUSINESS CONCERN**

I declare that I am:

- ☐ the owner of the small business concern identified below.  
☒ an official of the small concern empowered to act on behalf  
of the concern identified below.

NAME OF CONCERN: STRESSGEN BIOTECHNOLOGIES CORPORATION

ADDRESS OF CONCERN: #120-4243 Glandford Avenue

Victoria, British Columbia V8Z 4B9, Canada

I declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18 and reproduced in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and 41(b) in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I declare that rights under contract or law have been conveyed to and remain with the small business concern with regard to the invention entitled:

**STREPTOCOCCAL HEAT SHOCK PROTEIN OF THE HSP60 FAMILY**

by inventors: Lee Mizzen and Jan Wisniewski

as described in:

- ☐ the specification filed herewith.  
☒ Application No. 09/001,737, filed December 31, 1997.

[ ] Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).\*

\*NOTE: Separate verified statements are required from each named person, concern and organization having rights to the invention averring to his/its status as a small entity. (37 C.F.R. § 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- [ ] individual  
 [ ] small business concern  
 [ ] nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: \_\_\_\_\_ Richard M. Glickman

TITLE OF PERSON OTHER THAN OWNER: President and CEO

ADDRESS OF PERSON SIGNING: #120-4243 Glandford Avenue

Victoria, British Columbia V8Z 4B9,

Canada

SIGNATURE: \_\_\_\_\_

DATE: June 1, 1998